



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

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June 6, 1999

Concerned water user  
4420 West 1830 North  
Fillmore, UT 84631

To whom it may concern:

Thank you for your note of May 17, 1999 expressing concern about the irrigation practices of Mr. Garth Swallow. Our responsibility to regulate the use of water in the state is helped considerably when we receive information about possible abuses from concerned water users such as yourself.

In response to your note, we made a field inspection of Mr. Swallow's irrigation operation last week. Our review of his operation at that time did not reveal any excess irrigation. Mr. Swallow owns ground water rights and also shares of stock in the Chalk Creek Irrigation Company. All of the land that he was irrigating at the time of our inspection appears to be covered by his water rights and his Chalk Creek shares. The place of irrigation use appears to be as described in his water rights and in the service area for the Chalk Creek Irrigation Company and it did not appear that he was irrigating more land than allowed by his rights or his shares.

I appreciate your concern that the waters of the state be used according to the water rights. If you have further information or questions about this situation, I would be happy to visit with you about it. You can contact me at (801)538-7370.

I would also like to respond to your accusation that Mr. Kirk Forbush cannot be trusted to provide fair and unbiased evaluations in the administration of water rights. I have worked with Mr. Forbush for many years and have personally found him to be a man of integrity who is committed to serving the water users in his region by an honest and fair administration of water rights and regulation of water use. However, you also need to understand that this office is very committed to guarding against this type of problem and action has been taken in the past against any who have been found to be guilty. If you have any evidence, which is more than just hearsay, of wrong doing on the part of my staff, I would appreciate visiting with you about it.

Sincerely,

Robert L. Morgan, P.E.  
State Engineer

bcc: Kirk Forbush  
Lee Sim